

STAT

NEW YORK TIMES  
20 JANUARY 1982ARTICLE APPEARED  
ON PAGE A-21

## Reagan Defends Policies to Curb News Disclosures

By HOWELL RAINES

Special to The New York Times

WASHINGTON, Jan. 19 — President Reagan today defended the use of polygraph tests and restrictions on interviews to cut off the flow of news on sensitive subjects, saying he was only continuing the policies of previous administrations.

Mr. Reagan said he approved these measures to combat what he called "a new high here of the leaks" of sensitive information on foreign policy and national security.

"What we are doing here is simply abiding by the existing law," he said at his news conference. "It is against the law to — for those who are not authorized to declassify — to release classified information."

But even as the President defended the practices, protests were being mounted both inside and outside his Administration over both the ethics and the legal foundations of the policies.

### 'A Command Performance'

Although Mr. Reagan said polygraph, or lie-detector, tests were being administered to some Pentagon employees on a voluntary basis, an Administration official who took one said: "It was a command performance. There was nothing voluntary about it. If you didn't do it, they presumed you were guilty."

White House spokesmen could provide no detailed information on what law Mr. Reagan was referring to.

An executive order inherited from the Carter Administration does prohibit disclosure of national security information, but it lacks the force of law insofar as it

does not make such conduct a criminal offense. As for the espionage laws, there is dispute about whether they apply to giving information to reporters, as the Justice Department contends. Civil libertarians argue that such an application of the espionage laws would be unconstitutional.

Mr. Reagan insisted that new guidelines on the disclosure of national security information, which are being drawn up by his national security adviser, William P. Clark, "will all be within the law."

### An Open Administration

"It will not interfere with our determination to have an open administration present information that properly belongs to the press," the President said.

Mr. Reagan's insistence that his Administration is open followed the line of argument advanced in the last few days by David R. Gergen, the White House communications director, in response to public protests from news organizations and private complaints from Government employees who feel their rights have been violated.

The dispute has broken out since the Administration authorized the use of the lie-detector tests on Defense Department officials suspected of telling reporters about a Defense Resources Board meeting Jan. 7.

Also, the White House chief of staff, James A. Baker, circulated a memorandum Jan. 6 instructing the Cabinet departments to clear major television and newspaper interviews with the White House. Mr. Gergen met last night with Government public affairs officials in what he described as an effort to soften the impact of the Baker directive.

"A lot of people in Government were either shutting down interviews or spreading the word that every single print or spot television interview had to be cleared over here," Mr. Gergen said today.

He added that the White House wanted to know only about major officials' appearances on network television interview shows or on-the-record sessions with groups of newspaper reporters.

"We specifically are not interested in getting advance notice of individual newspaper interviews or spot interviews on television," Mr. Gergen said, adding that policing of all contacts between Government employees and reporters would "clog the system."

Asked if the use of polygraphs and warning memos would have a "chilling effect" on news gathering, Mr. Reagan replied: "No, I don't think so. All we're doing is what every administration before us has done and we hadn't been doing. It's simply a case so that we all known what is going on."

However, the public record indicates that the White House effort to monitor contacts with reporters is the most vigorous since the Nixon years, even though the Carter Administration's efforts in this regard also stirred debate.

Under President Nixon, agents of the Central Intelligence Agency were allowed to give polygraph tests to those suspected of disclosing news in the State Department. This is an "extraordinarily rare occurrence" at the department, a spokesman said.

According to a Defense Department official, the Reagan Administration's impulse to use the polygraph originated with Deputy Secretary of Defense Frank C. Carlucci after military budget figures were disclosed from the Jan. 7 meeting.

Officials familiar with the matter say that Mr. Carlucci, former Deputy Director of Central Intelligence, said that he initiated a Pentagon review of the 1965 regulations that require that all polygraph tests be voluntary and that individuals who declined to take them not be punished.

Reagan Administration officials other than Mr. Carlucci, who was said to have volunteered to take a polygraph test as an example to others, described the experience as grueling.

Questions in the three-hour C.I.A. polygraph sessions can cover such areas as sexual tendencies, drug and alcohol use, cheating on taxes, consorting with foreigners and contacts with the press.

So far, the Reagan Administration's tests are thought to cover only the disclosures under investigation. The President, who cited the prevalence of unauthorized disclosures as the biggest surprise of his first year in office, has been known to be increasingly irritated about them.